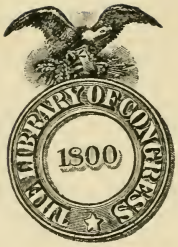
F
184
.H32
Copy 2


LIBRARY OF CONGRESS
1800

CHURCH AND STATE

IN THE

MARYLAND COLONY.

—x—

Inaugural-Dissertation

zur

Erlangung der Doktorwürde

der

hohen philosophischen Fakultät

der

Ruprecht-Karls-Universität zu Heidelberg

vorgelegt von

Ernest Lloyd Harris

aus

Rock Island

im Staate Ill., U. S. A.

LIBRAR
NOV 17 1
U.S. BUREAU OF ED

Heidelberg.

Universitäts-Buchdruckerei von J. Hörning.

1894.

Transfer
Office of Education
2/5/43

F 134
.H32
copy 2

TO

HERBERT R. WRIGHT,

OLD COMPANION AND SCHOOLMATE

THIS THESIS IS

AFFECTIONATELY INSCRIBED.

Preface.

In the writing of this thesis none but the best authorities have been taken. Few Protestant writers have been consulted. Chiefly among those are Bancroft's "History of the United States", and Gardiner's "History of England". Among Catholic writers John Gilmary Shea's "History of the Catholic Church in the United States" is without doubt the best of its kind that has been produced. It is a magnificent work of 4 vol's and almost entirely free from prejudice. Spalding's "Miscellanea" is considered by all Catholics as good authority, but a careful perusal of its pages will convince the reader that it is unjustly bigoted. If we say that it is but a machine attacking the figure heads and institutions of Protestantism we would but assign it its true place.

I wish to acknowledge the kindness of those in charge of the Reading Room and Manuscript Department of the British Museum. As every one knows who has had an opportunity of research in its halls, that for richness of its archives, methods, and convenience, it remains without an equal.

Ernest L. Harris.

Heidelberg, University Germany, November 11th 1893.

Contents.

		Page
Chapter I.	Introduction	1
„ II.	Early Discoveries in America and a Retrospective Glance at England During the First Part of the 17th Century	2
„ III.	The First Lord Baltimore. Avalon	9
„ IV.	Religious Toleration in Avalon	15
„ V.	The Founding of Maryland	17
„ VI.	Establishment of Catholic Missions	20
„ VII.	Dissensions in the Colony	22
„ VIII.	The Act of Toleration	26
„ IX.	The Rebellion	28
„ X.	Up to the Restoration of the Stuarts	30
„ XI.	After the Restoration	31
„ XII.	Was a Charter Granting Exceptionable Liberties to the Catholics Possible	33
„ XIII.	Maryland in relation to the Other Colonies	40
„ XIV.	Miscellanea	46
„ XV.	Conclusion	49
Chronological Table		53
Vita		55

CHAPTER I.

Introduction.

The question of who was tolerant in the Maryland colony in matters of religion has long been a subject of dispute. To-day the Catholic points with boasting pride to the annals of Maryland and claims that they are conclusive evidence in favor of his tolerant spirit, while on the other hand the Protestant ever seeks to find some fallacy by which he may represent them otherwise or at least construe them in such manner as to enhance his own argument or conviction.

It is a subject of the deepest interest. Yet owing to unfortunate circumstances in the early history, it is one around which there will probably ever be a degree of uncertainty [1]).

To throw more light upon this subject is the object of this thesis.

It is not our intention to cover the field in detail. That has to a certain extent been performed by the historian who has devoted his labor to that particular task. Ours shall be a more modest effort, yet one which does not necessarily possess less of interest or practical worth.

It is not our desire to assume a polemical attitude or carry on a series of controversial arguments. On the contrary it is

1) "The history of the first twelve years of the Maryland colony is very imperfect and will always remain so. In 1644 William Clayborne and his associates instigated a rebellion and Leonard Calvert was compelled to fly for his life. He sought refuge in Virginia where he was kindly received by Governor Berkely. The rebels took possession of the public records and after they were driven out it was found that most of these had been either lost or destroyed, so that not only are we left very much in the dark, but no possible means may be devised to throw light upon the subject." — Scharf.

our intention to search for the truth, if success crowns our effort, we shall state the facts briefly and candidly, and without regard to denominational sects.

In order to lay a foundation upon which to build our work, it is indispensably necessary to be acquainted in some measure with the events which immediately led to the colonization of Maryland. This will require not only a concise detail of such European attempts, to form settlements in other parts of North America, as preceded that of Maryland in time, but also a short elucidation of the nature of those religions controversies in England, which produced the colonial settlements in New England and Maryland. To that task we shall now turn our attention.

CHAPTER II.

Early Discoveries in America

and

A Retrospective Glance at England during the First Part of the 17th Century.[1])

The discovery of the West Indies by Christopher Columbus in 1492 filled all Europe with astonishment and admiration. This wonderful achievment of the renowned citizen of Genoa cast such a lustre of brilliancy upon the throne of Ferdinand and Isabella as to justly excite the envy of all other monarchs. The 16th century seemed, as it were, to be one grand drama in which the changing scenes were contest and rivalry. The different nations even though in the throes of the Reformation, battling against civil dissension within and threatening dangers without, found time and resources to continue the great work

1) Before writing the above I carefully read Ranke, Hume and Guizot's writings on the subject, so that the statements contained therein are based upon these authorities.

which had been so nobly begun. To a casual observer, in a glance at the nations of Europe, it seemed as if the Spaniards were the ones destined as most likely to accomplish ends of importance in the newly discovered land. For many years they had been engaged in a continuous struggle with the Moors, which had given them a great love of adventure for its own sake, and a desire to spread Christianity among the heathen, and if necessary for forcing them to accept it. Their record at this period is one of glory, good and cruelty commingled. To see its embodiment, we have but to glance at history. In Florida, that land of luxurious foliage and continual summer we find Ponce de Leon searching for the spring of ever-lasting life. In Mexico we see Cortez with his selected few overcoming the resistance of the Aztec, and planting the seeds of a higher civilization. De Soto, wandering from Tampa north and westward over the Alleghenies through the heart of an undiscovered country, comes to the silent waters of the Mississippi, in the bosom of whose waves he found an eternal resting place. And, how prospered it with the standard of Aragon and Castile beyond the equator? Pizarro with a wanton hand had destroyed the ancient lineage of Incas and laid waste the Temple of the Sun. Peru with its exhaustless stores of precious gems, vast fields of developed wealth, kept pouring into the coffers of Spain a subsidy [1]) which at that time enabled her to maintain a leading position among the nations of Europe.

No wonder then that proud Spain was envied by her neighbors, especially France and England. Her emperor Charles V. sat upon a throne, which exerted a direct influence over half the known world. He was a successor of the Caesars. And, then had he not defeated the claims of Henry VIII and Francis I to that same succession? Was it not from motives of mere revenge that the armies of the Bourbon prince were hurled in vain against the imperial standard at Pavia, where they suffered an ignominious defeat and their leader, the king, compensated in person for his rashness by a long and gloomy inprisonment

1) According to Mc Cabes Universal History, p. 1128, by the close of the 16th Century the export of the precious metals amounted to about twenty million dollars, or eighty million marks, per annum.

in the dungeons of Alcazar? Did not Wolsey, the pampered minister of the Tudor dynasty, work against the real interests of his island home to gain the favor and assistance of this same emperor towards enhancing his anticipations regarding the Holy See? The power of the imperial influence rivalled that of the spiritual at Rome. The one scarcely ventured upon a project of consequence without the consent and co-operation of the other.

Thus we see the immense advantage Spain held in her relation towards the New World during the greater part of the 16th century. A large and lucrative commerce was conducted between her and the colonies, which poured their rich products into her markets, and received her manufactures in return. Had the mother country been governed by a liberal and enlightened policy, this wealth might have enabled her to maintain her position as the most powerful state of Europe. Narrow minded and bigoted, she derived no lasting benefit from it. The Spanish colonies in America, however, were governed upon the most despotic principles, and were regarded by Spain chiefly as a source of wealth.

The French were early attracted to the fisheries of the banks of Newfoundland; Verrazzini an Italian navigator in the service of Francis I, explored the Atlantic coast from Florida to Nova-Scotia and visited the harbors of New York and Newport. Later, Cartier ascended the St. Lawrence to beyond the site of Quebec and Montreal, but no attempt at settlement was made until the end of the century.

Late in the 15th century England under Henry VII, looked longingly towards the New World. But England at this period was much exhausted. True, its military glory retained its rank with any, but the ambition of its monarchs had long wasted its energy on pernicious and ineffectual efforts to conquer France. The contest between the houses of York and Lancaster had as it were, preyed upon its bowels and exhausted its vigor. Only the city of Bristol seemed to have public spirit and enterprise left. It was here that John Cabot, desirous of emulating the exploits of Columbus, fitted out partly at his own expense a

fleet of five ships, and set sail for the New World[1]). Nothing of importance follows this until the reign of Elizabeth. Then the world is startled by the naval exploits of Hawkins and Sir Francis Drake. Sir Humphrey Gilbert is granted a charter to make settlements and discoveries in America[2]). Sir Walter Raleigh[3]) rising by his estimable qualities into the good graces of his queen, obtained her permission and assistance in sending an expedition to the coast of the Carolinas, but though repeated expeditions were sent out the attempt to colonize the Roanoke at this time proved a failure.

The interest of the history of the western world centres in North America. Until the opening of the 17th century England made no further effort to colonize the territory which she claimed: but now associations began to be formed for the planting of commercial colonies upon the American coast. The first of these was the London Company, which was chartered by king James I in 1606. Soon, through the efforts of Captain John Smith, a permanent settlement was made upon the banks of the James river in Virginia. The government of this colony was first vested in a council appointed by the king; but after several changes, the people were given the right of self-government, and a house of burgesses chosen by them was established. This was the first representative body that ever met in America, and held its first session on the 19th of June 1619[4]).

We have now reached that point when we must examine the religious condition of England, and ascertain, if possible, why the divided sects abandoned their native country, and sought to make their homes on the shores of a new and unknown world.

It was in the name of Faith, and of religious liberty, that in the 16th century, commenced the movement which, from that epoch, suspended at times, but ever renewed, has been agitating

1) Patent at large in the original Latin in Hazard. Vol. I. p. 9. — British Museum.

2) Charter at large in Hazards collections. Vol. I. p. 24.

3) Good sketch of life in Fuller's Worthies.

4) In August of the same year a Dutch man of war brought a cargo of African slaves into the James river, and so introduced negro slavery into America.

and exciting the world. The tempest rose first in the human soul: it struck the Church before it reached the State. In Germany the Reformation was religious, and not political; in France the Revolution was political and not religious. It was in the 17th century the fortune of England, that the spirit of religious faith and the spirit of political liberty reigned together in her heart, and that she undertook, at one and the same time, both revolutions. All the high passions of human nature were thus set in array, without wholly breaking bounds; and the hopes and ambitions of eternity remained to men, after they believed that their ambitions and their hopes of this world had failed.

The Catholics suffered much in England during the reign of king James I. But had they not from the natural sequence of things drawn this persecution upon themselves? On being disappointed in the son of Mary Stuart, did they not conceive a deep laid plan by which they might at one blow rid themselves of the king, the heir apparent, the Protestant lords and commons, and place matters in a state which would enable them to seize the government and restore the Catholic religion in England? [1]) Surely none but Catholics entered into this villainous plot, and on its failure the perpetrators were all executed. The entire English nation joined in a thanksgiving for the discovery of the conspiracy, and the hatred of the English for the Roman religion was intensified by the very means which they had hoped would secure the triumph of their faith. More stringent laws against the Catholics were enacted, and a new oath of allegiance was required of them, renouncing in the most unqualified terms, the Catholic doctrine that princes excommunicated by the pope might be deposed or murdered by their subjects or others [2]).

Upon the accession of Charles I to the throne he married the Princess Henriette Marie, daughter of Henry IV. of France,

---

1) Known as the Gunpowder Plot, Everything was arranged to blow up the Parliament House on the 5th of Nov. 1605, the day on which the king was to open the session.

2) Some of the Romanists took the oath; others, at the bidding of Pope Paul V. refused it.

to whom he had been betrothed during the latter part of his father's reign. The union was distasteful to the English, as the new queen was a Roman Catholic. She was accompanied to England by a retinue of priests of her own faith, and these instead of confining themselves to there religious duties undertook to interfere with the affairs of the court to such an extent, that quarrels soon became innumerable. All these proceedings aroused such storms of indignation throughout the nation that the French attendants of the queen were sent back to their own country. She was allowed, however, to have twelve priests and a bishop of the Romish Church attached to her household.

The reign of Charles I. was but one continual conflict with his Parliament. During the first few years, he repeatedly called a Parliament together, and upon their refusing to grant his claims, as often dissolved it. He finally determined to rule without Parliaments, and called to his assistance two ministers [1]) eminently qualified to assist him in his tyranny. Strafford aimed to prevent a reconciliation between the Catholics and Protestants of the kingdom, in order to make both parties dependent upon the crown. In this he was successful, and laid the foundation for a whole system of evils for the unhappy country. He reduced Ireland to perfect submission to the royal will as expressed by himself, and held the lives, the liberties, and the fortunes of the Irish people entirely at his pleasure. To Laud was given the task of compelling the submission of the Puritans to the authority of the established church. The Puritans now comprised a very large part of the nation, and embraced in their number many of the best and most eminent men, and many of the most learned of the clergy of the kingdom. Laud directed the whole power of the government to crushing this party. Liberty of conscience or belief meant treason in his estimation, and must be put down. The Star Chamber, a court composed of members of the king's council, which in the previous reigns had earned an infamous notoriety for its tyranny, was put to work to compel submission. The Court of High Commission

1) Thomas, Earl of Strafford and William Laud, Archbishop of Canterbury.

was also employed for the same purpose. The tyranny of these courts was carried to an unheard-of extent. Fines and imprisonments of an excessive nature were levied upon all who refused conformity, and from these the courts passed to other shameful and cruel punishments. The only result of this persecution was to increase the detestation with which the king and his ministers were regarded, and to increase the number of the Puritans, who were looked upon as martyrs to the cause of popular liberty.

It was under such oppression as this that the early Puritans were compelled to abandon their native country. Exposed, without the means of defence, to persecution, as soon as it had ferreted them out, they fled, and generally retired to Holland. But soon love for their country struggled in their hearts, with the desire for liberty; to conciliate both, they sent messages to the friends whom they had left behind, concerting with them to go together in search of a new country, in some scarcely known region, but which at least belonged to England, and where English people only were to be found. The more wealthy sold their property, bought a small vessel, provisions, implements of husbandry, and under the charge of a minister of their faith, went to join their friends in Holland, thence to proceed together to North America, where some efforts at colonization were then making.

This emigration of the Puritans presents to us a spectacle at once sad but truly sublime. Where in the history of the world do we find such another scene! Where in the long archives of the past do we find such pure and simple devotion to the ever-present influence of the spirit of God! Do we find an example? Yes, but it is in the beginning of the ages. We must turn back over the centuries to the land of the Pharaohs, by the waters of the Nile, the sacred river of the Egyptians. And what do we behold. Ah! we gaze upon a scene which has been burnt into the very soul of man, which has through the medium of the Word of God been handed down to us through the ages, and one which is destined to go on to the end of time. We see the Hebrew host being led from the land of Goshen by a "pillar of cloud by day and a pillar of fire by

night"[1]). The waters of the Red Sea are separated, and they pass in safety to the shores of Arabia. By Sinai's Mount, through the plain of Er-Rahah, they wander, forty years are they in the Wilderness of Paran, and then, when their great prophet leaves them for his lonely grave in the vale of Nebo's Mount, they journey on through to the Promised Land. Yes indeed, the sufferings, the devotion to religion, the manifold intensity of brotherly love of these poor persecuted Puritans reminds us forcibly of the outcast sons of Israel. In our imagination we picture that last sad parting upon the sands of Holland, watch breathlessly the course of the Mayflower as she is tossed by the storms of the sea until she anchors in safety on the shores of Cape Cod.

But it is the Catholic, and not the Puritan, with whom we intend to treat. The same persecution to which the Pilgrim Fathers were subjected, was administered in the same degree to the papal adherents. They too, found no peace within the bounds of England. They too, must look elsewhere than their native country in which to establish an asylum for their faith. They had before them the example of the Pilgrims. Might they not also be equally as successful beyond the seas? Such seems to have been the belief, desire, and aim of one of their great leaders, and to the shores of Avalon was his attention and energy first directed.

CHAPTER III.

The First Lord Baltimore.
Avalon.

George Calvert, the first Lord Baltimore, was born at Kipling near Richmond, in the north of England, sometime during the year 1582[2]). He was descended from a noble Flemish

1) Exodus, XIII. 22th.

2) I have been unable to ascertain the day on which he was born.

family[1]) and came from the land of the Fairfaxes and Wenthworths, all of whom have remote descendents in the United States of America[2]). He received "his education at Trinity College Oxford; then beyond the seas"[3]). Upon his return from the Continent he obtained an appointment in Ireland from which he was promoted from time to time to other offices, being often employed on public affairs, at home and abroad. When Sir Robert Cecil became Lord High Treasurer under the reign of Elizabeth, he made Calvert clerk of the Privy Council. He was knighted in 1617, and the next year became one of the secretaries of state. At a very early period he became interested in American colonization, and was a member of the Virginia company[4]). In 1620 he purchased the southwest peninsula of Newfoundland, and sent out Captain Edward Wynne, with a small colony, who formed a settlement at Ferryland[5]).

At this time Calvert began thinking seriously about religious affairs. His son had married into a Roman Catholic family, and there is no question but that the father-in-law[6]) exercised a great influence in persuading Calvert to return to the ancient church. In 1624 he prepared to arrange his affairs to meet the consequences attendant on a profession of a faith proscribed by the laws of the state. He relinquished his seat in Parliament, and was received into the church. "He freely confessed himself to the king that he was then become a Roman Catholic, so that he must either be wanting to his trust or violate his conscience in discharging his office"[7]). King James was highly affected by Calvert's sincerity and to show proper appreciation for his long and faithful services, created him Baron of Baltimore in the kingdom of Ireland, and also retained him as a member of the Privy Council, exempting him from obligations which he now as a Catholic could not fulfil.

---

1) Shea's "Church in Colonial Days", p. 28.
2) Neill's Terra Mariae.
3) Fuller's Worthies. Vol. III. p. 417—418.
4) Neill's Terra Mariae.
5) Shea's "Church in Colonial Days". p. 29.
6) Sir Thomas Arundell.
7) Fuller's Worthies. Vol. III. p. 417—418.

In April 1623, Lord Baltimore had obtained a charter[1]) for the province of Avalon in Newfoundland making him lord-proprietor where he was as yet only a land owner. It was now his aim to lead out a colony, and make it his permanent residence. Whether or not he designed it to be a refuge for oppressed Catholics, is difficult to ascertain. Neill[2]) states that "he went not as a curiosity seeker, nor a religious exile, but to save his investments if possible." "Frankly, he tells a friend." "I must either go and settle it in better order or else give it over and lose all the charges. I have been at hitherto for other men to build their fortunes upon. And I had rather be esteemed a fool by some for the hazard of one month's journey than to prove myself one certainly for six years past if the business be now lost for the want of a little pains and care."[3]) Shea thinks[4]) there can be no doubt, but that he intended this first colony as a place for English Catholics. He claims that Baltimore had concerted with Arundell a long time previous to the marriage which connected the two families, in a scheme of planting a colony of this kind. What ever his real intention may have been in this respect is, of course, beyond our power of solving, but a glance at the charter may assist us in coming to some conclusion.

The charter of Avalon[5]) made Lord Baltimore "true and absolute lord and proprietary of the region". It was certainly liberal towards Catholics in comparison to the penal laws[6]) of England at that time. A charter directly favoring or protecting Catholics was of course something king James could not give, but he allowed all believing in the Roman faith to emigrate at will to the new province. Baltimore was privileged to make

1) Original charter on file in Manuscript Department, British Museum, 8—16 inclusive Miscellaneous Papers 589.

2) Judging from the tone of Shea (see footnote "Church in Colonial Days", p. 35). Neill would be considered by most Catholic writers as doubtful authority.

3) Terra Mariae, Chapter I.

4) Colonial Days. p. 30.

5) The charter is also given in part. Scharf's History of Maryland. Chapter I, 33—40.

6) They were very severe. As recent as 1628, a Catholic priest was hanged, drawn, and quartered in England on account of his religion.

the necessary laws and appoint all officers. Full authority was given to all the king's subjects to proceed thither and settle, even if there should be a province law to the contrary. No laws could be made which did not in a degree harmonize with those of England, and a special clause in the charter reads thus": "Provided always that no interpretation bee admitted thereof whereby God's holy and truly christian religion or allegiance due unto us, our heires and successors may in anything suffer any prejudice or diminution." Thus we see that it was not especially founded for those oppressed in religion. But one point is certain, as far as we are concerned in this chapter; Baltimore, in making out the charter, had a mind to those who were suffering for conscience sake. Among the colonists he took with him there were many Protestants; he thus showed his sense of the equal religious rights of all. He furthermore gave the Protestant colonists a place for worship and a clergyman. There can be no doubt but that he endeavored in Avalon to enable each settler to worship God according to the dictates of his own conscience, and in so granting tolerance to religious freedom, rose pre-eminently above his time and country.

To give some idea of what Baltimore did and suffered for Avalon we quote the following.

"Sir George Calvert Knight, — Lord Baltimore, purchased (to wit in the yeer of our Lord one thousand six hundred and twenty) a great part of Newfoundland, which afterwards was also granted to him and his heirs by a Patent from king James under the then Great Seal of England. And the said Tract of Land was by the said Patent erected into a Province and called Avalon the bounds and limits where of are described in the said Patent (bearing the fourth day of April in the one and twenteeth yeer of the Reign of King James, and in the yeer of our Lord one thousand six hundred twenty and three) whereby also for his better encouragement to make a plantation there, many privileges were granted to him and his heirs, amongst which one was to have and enjoy all Costomes and Imports, which should be payable there for any Goods or Merchandizes whatsoever, to be laden or unladen within any part of the said

Province by forreigners, reserving to the English free liberty of taking and drying of Fish there as formerly they had."

"The said Lord Baltimore did there upon expend above twenty thousand pounds in transportation of people, Chattel and other necessaries from time to time, for the settling of an English colony there, at a place called Ferryland within the said Province, where he built a fair house for his own habitation, and erected divers other buildings and Forts for the accommodation and security of several English families transported thither, unto which place he also adventured his own person twice, and in his last voyage thither carryed with him his wife and most of his children; at which time (there being then war between England and France) it pleased God to make him an instrument to redeem about twenty sail of English ships there, which had been taken by French men of war, where of one Monsier de la Rode had the chief command; and also (afterwards) in the same yeer to take six French ships, which were then fishing upon that coast, and which he sent with a great many Frenchmen prisoners into England" [1]).

But the climate of Newfoundland was to severe and his close proximity with the French was ever a source of annoyance. Baltimore began to look around for some warmer clime in which he might settle, and still retain all the privileges which had been granted him in Avalon.

In October 1629, Baltimore visited Virginia. It is quite likely that he intended to devote his means and ability towards building up this colony, for as we see he had for a long time been interested in it and was at this time a member of the Virginia Council. Baltimore had no sooner landed, than the officials [2]) tendered him the oath of allegiance and supremacy. In doing this, they were assuming power not given to officials in

1) Taken from printed document of that date (1630 about) on file in Manuscript Department, British Museum, in Papers Relating to English Colonies in America, 1627—1699. Egerton 2395.

2) John Pott, acting governor and Clayborne Secretary, See Sainsbury. — "Calendar of State Papers" — Chapter I, p. 104, and Neill — "Founders of Maryland", p. 45.

Virginia, at least the three charters do not mention it [1]). The second charter states that the treasurer and any three of the council may tender the oath to those going to Virginia [2]). The third charter gives a similar power, but there is not a word empowering subordinate officials in the colony to tender oath to a member of the council. We quote the instructions of the council itself to William Clayborne when they appointed him secretary.

"Wee doe by these presents nominate and assign you the said William Clayborne to be our secretarie of State of and for the said colony and Plantation of Virginia residing in those parts; giving and by these presents granting unto you the said William Clayborne full Power and Authoritie to doe execute and performe all and everie Thing and Things whatsoever to the said Office of Secretarie of State of and for the said Colony and Plantation of Virginia, incident and appertaineing" [3]).

The oath of allegiance was promptly taken by Lord Baltimore, but it was an impossibility for him to take the oath of supremacy, for he was, as we have every reason to believe, a conscientious Catholic. The oath at that time was the one prescribed by the statute established in the reign of Elizabeth [4]). Inasmuch as he must have thereby declared that the king was the only supreme governor of all his dominions and countries "as well in all spiritual or ecclesiastical things or causes as temporal". This could not consistently be done by one who believed the pope to be the supreme head of the Christian Church. It was also undoubtedly known to Baltimore who was an Irish peer, that pope Urban VIII. had but a few years before (1626) issued his bull to the Irish Catholics, in which "he exhorted them rather to lose their lives than to take that wicked and pestilent oath of supremacy, whereby the septre of the Catholic Church was wrested from the hand of the vicar of God Almighty" [5]).

---

1) See 4, James I.
2) See 7, James I.
3) Hazard I, p. 234 and 239.
4) I Eliz. ch. I. Sec. 19.
5) Mac Mahon's History of Maryland.

Thus it was evident to Baltimore that he could hope for nothing in Virginia. The conduct of the officials showed him clearly that Catholics could not live in peace in that colony; and to secure them a refuge he must obtain a charter for a new province. Leaving his family in Virginia he sailed for England to employ his influence in obtaining a new grant.

CHAPTER IV.

Religious Toleration in Avalon.

That Lord Baltimore was tolerant in his relations toward religion there can be no doubt. But we would be shirking our duty if we did not endeavor in a measure to bring to light all the reasons for such a course of action. We do not do it to deteriorate in the least from Baltimore's character or fame, for we think these firmly and rightfully established. We shall simply try to prove, that owing to circumstances an intolerant course would have been an impossibility. That Baltimore did have in view (along with other intentions — see page 11 of this thesis) the formation of an asylum for English Catholics [1]) we allow [2]), but we also assert with confidence that a charter granting a colony for Catholics to the exclusion of Protestants was something diametrically opposed to the policy and disposition of England [3]). It was not at all likely that England would

1) The charter mentions it. Also see Oldmexions British Empire in America. Vol. I. p. 5.

2) But we oppose the statement that he lead out the colony solely for Catholics without any mind to a personal investment as well. See p. 11 of this thesis.

3) See p. 11 of this thesis.

"Full authority was given to all the king's subjects to proceed thither and settle, even if there should be a province law to the contrary" — and further — "No laws could be made which did not in a degree harmonize with those of England." See p. 12 of this thesis. Thus we see no distinction was made.

Shea in "Church in Colonial Days" practically corroborates these statements. See p. 30, 31.

so arrange circumstances that they would lead to such bloodshed as had on several occasions occurred during the latter part of the previous century[1]). The same questions precisely occur in both Avalon and Maryland, as regards toleration with, perhaps, the exception of the influence of surrounding colonies. We will then leave Avalon, since the same principle lies at the bottom of both, and refer our reader to the chapter on Religious Toleration in Maryland (See Chapt. XIII).

The first Lord Baltimore is certainly entitled to the respect of the entire world. "He deserves" says Bancroft[2]) "to be ranked among the most wise and benevolent law-givers of all ages. He was the first in the history of the Christian world to seek for religious security and peace by the practice of justice, and not by the exercise of power; to plan the establishment of popular institutions with the enjoyment of liberty of conscience; to advance the career of civilization, by recognizing the rightful equality of all Christian sects. The asylum of Papists was the spot where, in a remote corner of the world, on the banks of rivers, which as yet had hardly been explored, the mild forbearance of a proprietary adopted religious freedom as the basis of the state."

All historians and writers are willing to do full credit to the character of Baltimore. Dying, he left "a name against which the breath of calumny has hardly whispered a reproach."[3])

---

1) The one of greatest note is that of Spain V.-S. France, and France's vengence visa versa Spain: While the Reformation was agitating France, Coligny in 1562 sent out an expedition under John Ribaut to found in Florida a colony especially for the reformed faith. The colony succeeded, and prospered in every way. But in 1565 Philip II. of Spain who claimed a Catholic jurisdiction over the whole of America sent out Pedro Menendez to exterminate it. He fell upon the unsuspecting Frenchmen suddenly and massacred nearly the entire garrison. All the prisoners were hanged, and their corpses piled up in a heap on the ground. This inscription was placed above them. "Not as Frenchmen, but as heretics". France however was avenged. Three years later a private expedition fitted out at the expense of one man, fell suddenly upon the Spanish colony and completely destroyed it. They placed over the dead this inscription. "This we do not to Spaniards, but as to traitors, thieves, and murderers." For splendid account see Guizot's History of France. Vol. 5. chapt. LIII. p. 157, 158.

2) History of the United States vol. I. chapt. VII. p. 185.

3) See Bancroft's History of the United Staates p. 185. vol. I chapt. VII.

He had passed through many hardships and had endured much suffering, all for the sake of planting a colony from which he personally never reaped any benefit.

CHAPTER V.

The Founding of Maryland.

In February 1630 Lord Baltimore applied for a grant of land, south of the James River "to be peopled and planted by him" [1]). A charter was signed and granted by Charles I. but on the violent opposition of Virginia it was revoked [2]). Baltimore persisted however, and finally obtained a grant for a district to the northward. This contained the territory north of the Potomac to the fortieth degree, with a portion of the eastern shore of the Chesapeke, and extending to the ocean [3]). The new province was named Maryland by the king in honor of his wife Henrietta Maria daughter of Henry IV. of France [4]). But before the charter [5]) passed the Great Seal of England

1) Sainsbury, "Calendar of State Papers".

2) Shea's "Church in Colonial Days", p. 33.

Doyles "America", chapter X. p. 146.

Bancroft does not state that the first charter was withdrawn. See vol. I. chapt. VII. p. 179—200.

This first charter was undoubtedly penned by Lord Baltimore himself as all authorities agree on that point.

3) Bancroft vol. I. p. 183.

4) Doyles "America", Mac Cabes Universal History. It is claimed that had the king not used his privilege of giving a name, it was Baltimores intention to call it Crescentia. Neills "Terra Mariae."

5) Charter may be found in Bozmans History of Maryland. Vol. II, I—21. Bacons Collections of Laws of Maryland (Original Latin). Hazard I. 327—337 (Original Latin). Commented upon by Chalmers, p. 202—205. Also by Mac Mahon 133—183 and Story vol. I. 92—94.

Lord Baltimore died, but his son [1]) obtained the promised grant under the same conditions and proceeded at once to carry out his father's plans.

Cecil Lord Baltimore [2]) appointed his brother Leonard Calvert governor of the province, and set about to make every arrangement for embarkation. Gentlemen of birth and distinction resolved to venture their lives and a good part of their fortunes in an enterprise of planting a colony under so favorable a charter. Two vessels, the Ark and the Dove, [3]) were gotton in readiness, and on the 22 of November 1633 they set sail [4]). In the spring of 1634 they landed off Point Comfort in Virginia and forwarded letters from Charles I. to the colonial government ordering them to welcome the newcomers with courtesy and humanity. Leaving Point Comfort they ascended the Potomac to the Indian village of Piscataque, from which a large number of the inhabitants had just fled for fear of a neighboring tribe. Those who remained received the settlers hospitably, accepted some presents and granted the English the empty part of the town [5]). The place was named St. Mary's. Catholics and Protestants dwelled together in harmony, neither attempted to interfere with the religious rights of the other. Here "religious liberty", says Bancroft, "obtained a home, its only home in the wide world, at the humble village which bore the name of St. Mary's".

And how had nature endowed this Maryland? Since the time when the earth's surface hardened over the chaos within

---

1) Brown and Scharf state in their History of Maryland that George Lord Baltimore's wife and children lost their lives crossing the Atlantic from Virginia to join the husband and father in England. It seems incredible however as all other authorities are silent on the matter.

2) At first Lord Baltimore intended to lead out the colony himself, but for some unknown reason abandoned the idea and appointed his brother.

3) The Ark was a vessel of 350 tons burthen and the Dove was Lord Baltimore's, own pinnance of 50 tons.

4) Shea claims that they had made an effort to set sail some months previous to this, but on account of malicious charges brought against them in the star Chamber, were detained. "Church in Colonial Days", p. 39.

5) "The Indian women taught the wives of the newcomers to make bread of maize: the warriors of the tribe instructed the huntsmen how rich were the forests of America in game, and joined them in the chase." Bancroft p. 187.

she had been hoarding a part of her exhaustless treasures. The climate was invigorating yet mild, and the air salubrious. The deep, majestic Potomac, carrying its vast flood serenely and noiselessly between the well defined banks of its channel, imparted grandeur to a country whose rising grounds and meadows, plains festooned with prolific wild vines, woodlands, brooks and fountains, were so mingled together, that nothing was left to desire. Water-fowl of delicious flavor hovered along its streams, while its waters yielded to the angler an astonishing variety of fish. The forests were a natural park stocked with deer, quails, partridges, and wild turkeys. These same sombre forests shed a melancholy grandeur over the magnificence of nature, and hid in their deep shades the rich soil which the sun had never warmed. No axe as yet had levelled the giant trees of the crowded groves, which groaned under the weight of leaning branches and fantastic forms of withered limbs that had been blasted and riven by lightning. The mountain sides blushed with flowers in their seasons, and resounded with the melody of birds. The health-giving westerly wind blew at all seasons, and in spring lovely flowers filled the air with the sweetest of perfumes. The golden eagle built its nest on the topmost ledge of the mountain, and might be seen wheeling in wide circles high above the pines, or dropping like a meteor upon its prey. Such was the nature of the land on which the new colony was to be planted. It was well, for everything they wanted for earthly subsistence was there. All could be had for the mere expense of labor.

The settlers soon began their work. Forests were felled, houses were built, crops were planted, and in six months the colony had advanced more than Virginia had done in as many years [1]). But far more memorable was the character of its institutions and laws. Almost every country in the world had persecuting laws, but the little colony of Maryland had none. Under the mild restrictions and munificence of Baltimore, the dreary wilderness soon bloomed with the swarming life and activity of prosperous settlements. "Public prosperity and private

1) Bancroft vol. I. chapt. VII. p. 187.

happiness were promoted by salutary laws which were as pru dently executed as wisely planned"[1]). The constitution founde in Maryland at this time continued above one hundred and thirt years-until the revolutionary war.

CHAPTER VI.

Establishment of Catholic Missions.

It will now be well to turn our attention for a time t the missions established by the Catholics during these first fe years. Catholicity was first planted among the English colonie in America on March 25th 1634, mass being led by Fathe Andrew White[2]). The Jesuit Fathers began at once to loo about them for an opportunity to establish missions for th conversion of the Indians. Of their early labors no record i preserved, but it is supposed the time was spent laboring dili gently to overcome the difficulties presented by the India languages. For a time Father White took up his residenc with the Indian chief Maquacomen of the Patuxent tribe wh seems to have shown some desire to embrace the faith. Bu he soon changed his mind, and even began open hostilitie against the missionaries, so Father White was recalled by th governor Leonard Calvert.

The attempt to establish missions went steadily on. Th priesthood[3]), had on different occasions been reinforced fron Europe, so that a greater effort could now be put forth. Fathe White succeeded in penetrating some distance into the wilder ness to near the site of the present capital of the United States

1) Chalmon — 220 — Notes on North America.

2) It must be kept in mind however that many were Protestants. Fathe White in his journal says, that of twelve that died on the passage to America only two were Roman Catholic.

3) We are under the impression they were all Jesuits.

Here he had better success than before. The chief of the Piscataways listened to the instructions and finally became a convert, and encouraged missionary work among his people. He put away his concubines and observed the fasts and abstinences of the church. The baptismal ceremonies of this chief were celebrated with something like pomp, considering the inconveniences and rude surroundings of the country at this period. In order to show the full importance of the event, Governor Calvert and secretary of the colony were present. It took place in the vicinity of the future capital of the country, and was attended by quite a concourse of settlers and Indians. This happened on the 5th of July 1640.

In 1641 Lord Baltimore applied to the Propaganda to establish a mission in Maryland, and give facilities to a Prefect and secular priests. This Congregation accordingly complied. The Jesuits remonstrated in an appeal to the Holy See, claiming that it would not be expedient to remove those who first entered the field at their own expense, who for a number of years had endured want and suffering, and who had acquired the languages of the natives.

The appeal arrived too late however. The Propaganda acting upon the petition of Lord Baltimore, sent out in 1642 two secular priests, which number was increased from time to time. There can be no doubt of the persistent efforts of the newly established missions to convert the natives, but taken on the whole it was a miserable failure. A few chiefs might have been converted, but as to any great body of Indians embracing Christianity, the statistics of to day (1893) will bear us out in the statement, that though Catholic and Evangelical missions have been laboring upwards of three hundred years, the red man remains almost as ignorant and superstitious as when America was discovered.

CHAPTER VII.

Dissensions in the Colony.

In 1642 the Civil War broke out in England. The agitatio soon spread to the colonies, where men's minds were divide as they were in the mother country. The royal party or thos who favored the king was strong in Virginia, while in Ne England most of the people were on the side of the Parliamen In Maryland there were partisans on both sides, though, as Mary land was almost independent of Great Britain, her people di not suffer from the grievances of which the English complained The desire of Lord Baltimore seems to have been to remai neutral as far as possible, and so preserve Maryland from civ war. But he was known to be a friend of the king, and thi aroused ill-feelings among those of his colonists who favore the cause of Parliament, while the fact of his being a Roma Catholic was used by his enemies to turn the Protestants agains him. They had certainly no cause of complaint, for from th very first Baltimore's policy had been that of entire toleratio to every form of Christian belief[1]): and those who in othe colonies were persecuted for their religion, found a refuge i Maryland.

In Virginia Puritan settlers from New England were treate with great harshness by the authorities who were, for the mos part, of the Anglican Church. To these Lord Baltimore offere an asylum and many settled in Maryland[2]). We quote th

1) The clause for liberty in Maryland extended only to Christians. Th read a proviso in the act of 1649 — "Whatsoever person shall blaspheme Go or shall deny or reproach the Holy Trinity, or any of the three persons there shall be punished with death."

2) "Ever intent on advancing the interests of his colony Lord Baltimo invited the Puritans of Massachusetts to emigrate to Maryland, offering the lands and privileges." Bancroft, chapter VII. p. 191.

"In 1642 Lord Baltimore wishing to build up his colony invited as ma of the Puritans of Plymouth as chose to come into Maryland, offering the "free liberty of religion", but none at this time came. Later however son

following from Hammond's "Leah and Rachel" (Edition of 1655). [1])

"The Independents knew not in those straits how to dispose of themselves."

"Maryland was courted by them as a refuge, the Lord Proprietor and his Governor solicited to, and several addresses and treaties made for their admittance and entertainment into that Province, their conditions were pittied, their propositions were hearkened unto and agreed on, which was that they should have convenient portions of land assigned them, liberty of conscience and privilege to chose their own officiers, and hold courts within themselves, all was granted them, they had a whole County of the richest land in the Province assigned them, and such as themselves made choice of, the conditions of plantations (such as were common to all adventures) were showed and propounded to them, which they extremely approved of, and nothing was in those conditions, exacted from them, but appeals to the Provincial court, quit-rents, and an oath of fidelitie to the Proprietor, an Assembly was called throughout the whole country after the coming over, (consisting as well of themselves as the rest) and because there were some few Papists that first inhabited these themselves, and others of being different judgments, an act passed that all professing in Jesus Christ should have equal justice, privileges and benefits in that

settled in Virginia from which colony they were afterwards driven out, they then went to Maryland about 1649, and founded a small settlement called Providence not for from where Annapolis now stands." Scharf, p. 37.

Griffith in his History of Maryland (Edition of 1821) says — "Many of the Puritans had emigrated from Virginia, where they were persecuted by the Episcopalians, and people of that and other sects from New England where the Puritans persecuted them." Griffith further continues (p. 5), "It does not appear that these colonists were actuated by an over pious zeal to convert the heathen, or the extravagant project of finding a passage to the east through the western continent: but, out of respect for their religion, they planted the cross, and after fortifying themselves, plainly and openly set about to obtain by the fairest means in their power, other property and homes, where they should escape the persecutions of the religious and political reformers of their native country at that period."

1) May be obtained in British Museum.

Province, and that none on penaltie (mentioned) should disturb each other in their several professions, nor give the urging terms, either of Roundheads, sectarie Independent, Jesuit, Papist etc., Intending an absolute peace and union: the Oath of fidelitie (although none other than such as every Lord of a manor requires of his tenent) was overhauled, and this clause added to it (provided it infringed not the libertie of the conscience)."

"They sat downe joyfully, followed their vocations cheerfully, trade increased in their Province, and divers others, were by this encouraged and invited over from Virginia."

"But these people finding themselves in a capacitie not only to capitulate, but to oversway, those that had so received and relieved them."

"Began to pick quarrels, first with the Papists, next with the Oath, and lastly declared their aversness to all conformitie, wholly ayming (as themselves since confessed) to deprive the Lord Proprietor of all his interest in that country and make it their own."

After the royal power fell in England, Maryland became the scene of political and religious strife [1]). Clayborne who had established himself on Kent Island, urged perhaps by a conviction of having been wronged [2]), and still more by the hope

1) "For this was an age in which difference of religion was almost sure to lead to active hostility, since their was scarcely a single sect which was content to be merely tolerated, but each sought to force others to join it. and none more so than the Puritan party to which many of the influential Marylanders belonged." Doyles "America", p. 150.

2) The Isle of Kent came within the bounds of the Assembly of Maryland, and therefore came under its jurisdiction. Clayborne tried to dodge this fact, and petitioned the Council for a grant. It was decided upon at Whitehall April 4 1638, and the order reads thus — "That no grant from his Majesty should pass to the said Clayborne or any others of the said Isle of Kent, or other parts or places within the said Patent, where of his Majesty's Attorney and Solicitor General are hereby prayed to take notice, and concerning the violences and wrongs by the said Clayborne, and the rest complained of in the said petition of his Majesty their Lordships did now also declare, that they found no cause at all to relieve them, but to leave both sides therein to the ordinary course of justice." Hazard vol. I, 431.

of revenge, began the trouble. Choosing as his comrade one Richard Ingle[1]) and aided by the Puritans in the colony, Clayborne not only held Kent Island against all the efforts of Governor Calvert to reduce it, but with his force invaded St. Mary's country, drove the governor from his capital, compelling him to seek safety in flight to Virginia, and made himself master of the Province. They acted with great tyranny towards those who remained faithful to Lord Baltimore. Bancroft says[2]), "the insurgents distinguished the period of their dominion by disorder and misrule, and most of the records were then lost or embezzled." They even arrested the unoffending missionaries among the Indians, broke up their stations and sent the venerable Father White in chains to England where he died in 1656[3]). All the priests in the colony were forced to flee for their lives. Some fled to Virginia, where they were granted a scanty protection, others perished from hunger and want in the forests where they had sought a hiding place. Thus the missions suffered a reverse, and for the time being were completely destroyed[4]).

During all this time the Civil War had been raging in England. On the 14th of June 1645, the royalists under the king were decisivly defeated at Naseby, and their last hope of success was destroyed. The king was imprisoned in Holmby House, near Northhampton, where he awaited the decision of Parliament on his fate.

Thus Baltimore's situation in regard to Maryland was a gloomy one. The parliamentary forces were completely victorious in England[5]) while Clayborne and Ingle held full sway in

1) Supposed at one time to have been a pirate.

2) Chapter VII. p. 193.

3) Upon his arrival in England Father White was indicted under the penal laws of 27 Elizabeth, for having been ordained a priest abroad and then coming into the kingdom, contrary to the statute, a crime punishable with death. On being brought to trial he pleaded that he had been brought violently and against his will into England. Upon the force of this argument he was acquitted, but perpetually banished. He was allowed to return later, and died in Hamshire district.

4) Scharf p. 33.

5) It must be borne in mind that Baltimore was a royalist and a staunch supporter of the king.

Maryland[1]). It seemed to him that all was lost, so he accordingly wrote his brother to try to save for him what he could of his private property out of the general wreck[2]). But Leonard Calvert was made of sterner material. It appeared to him that all was not yet lost. The Virginians had been from the first hostle to the colony, but they were devoted royalists and they looked upon Calvert as a sufferer in the kings cause, and too, the way in which Clayborne governed Maryland was less to their liking than Baltimore's government. So Calvert found he could depend on help from Virginia. Gathering a force he suddenly surprised the faction in Maryland and recovered possession of the province, where the authority of the lord proprietary was once more established.

On the 9th of June 1647, Leonard Calvert died, leaving the province in charge of Thomas Green until his successor should be appointed. "From the first planting of the colony he had labored incessantly and unselfishly for its good; had controlled its affairs, both in peace and war with wisdom, vigor and humanity, and his name should ever be cherished in the memory of Marylanders"[3]).

CHAPTER VIII.

The Act of Toleration.

The authority of the Proprietary being now restored, the insurgents were banished and the missions began to improve. Baltimore applied once more to the Holy See for secular missionaries, but failed to obtain them. The Jesuit Fathers came back to the land, collected together their scattered flocks, and once more was the holy sacrifice offered, and confessions heard.

1) They ruled under pretense of authority from Parliament.
2) Scharf p. 33.
3) Scharf p. 34.

In 1648 Lord Baltimore having in view the future preponderance of Protestantism, for the sake of policy appointed William Stone (Protestant), who was believed to be well affected to the Parliament, as governor. At the same time with a view to protecting his fellow religionists he compelled Stone and his assistants to take an oath not to molest Romanists or to keep them out of office. In this oath the Catholics were expressly named as at that time they had more reason to fear persecution than any others [1]).

On the 2nd of April 1649, the Assembly met and passed the Act of Toleration which is one of the most memorable things in the history of Maryland. It proceeded as follows [2]): "Whereas the enforcing of conscience in matters of religion hath frequently fallen out to be of dangerous consequence in those commonwealths where it has been practical, and for the more quiet and peaceable government of this province, and the better to preserve mutual love and unity amongst the inhabitants, no person or persons whatsoever within this province or the islands, ports, harbors, creeks, or havens thereunto belonging professing to believe in Jesus Christ, shall from henceforth be in anyway troubled or molested, or discountenanced for or in respect of his or her religion, nor in the free exercise thereof within this province or the islands thereunto belonging, nor anyway compelled to the belief or exercise of any other religion, against his or her consent". It also further forbade the calling of anyone by any name of reproach on account of his belief, such as "heretic, idolater, or schismatic".

"The passage of this act is one of the proud boasts of Maryland, and its exact execution until the government was overthrown by the Puritans, and from its restoration till the Protestant revolution, forms one of her greatest glories" [3]).

It will be our duty in a later chapter to analyze if possible the motives which led to the passing of this act.

1) Thurloe's State Papers, vol. V

2) Shea's Catholic Church In Colonial Days, p. 70.
Bancroft's History of the United States, chapt. VII. p. 193.
Browne and Scharfs History of Maryland.

3) Mc Sherry.

CHAPTER IX.

The Rebellion.

In the meantime emigration kept adding to Maryland's population. In 1638, a colony of Swedes came to America, and sailing up the Delaware landed near the site of the present city of Wilmington and built a fort which they named Christiana after their young queen. Disputes arose between them and the Dutch, who in 1655 finally conquered New Sweden. A number of the Swedes fled to Maryland where they were kindly received Puritans came from England, New England and Virginia and settled on South River and other places. It seems that the people at this time were content, for the Assembly, feeling grateful to Lord Baltimore for what he had done for them, placed upon the public records a testimony of their love and affection [1]).

In 1651, commissioners were sent out by Parliament (the Commonwealth being now firmly established) to the American colonies for the purpose of tending the oath of allegiance. Trouble arose between these commissioners and Stone, who was still governor of Maryland, and the latter was deposed. Finding however that he was popular among the colonists and not ill-affected to the Parliament, Stone was reinstated and for a few years matters went smoothly enough. In 1654 things were brought to a crisis by Baltimore sending instructions to Stone to demand an oath of fidelity to the Proprietor from all the colonists; all who refused were to be banished. The Puritan party, considering this a violation of their pledge to the Commonwealth, arose in rebellion. Headed by Clayborne they compelled Stone to surrender his commission and government into their hands. Then followed gross intolerance. An Assembly was called which prohibited any Catholic to vote or to sit as a delegate. This body, after thus excluding the Catholics passed an act concerning religion which read as follows:

1) Scharf.

"It is hereby enacted and declared that none who profess and exercise the Popish (commonly called the Roman Catholic) religion, can be protected in this province by the laws of England, formerly established and yet unrepealed; nor by the government of the Commonwealth of England etc., but to be restrained from the exercise thereof". It concluded thus: "Provided such liberty be not extended to Popery or prelacy, nor to such as under the profession of Christ, hold forth and practice licentiousness" [1]).

This state of affairs provoked Lord Baltimore and led him to censure Stone severely. "The Lord Baltimore in his last letter to capt. Stone doth blame him for resigning up his government into the hands of the Lord Proprietor and Commonwealth of England, without striking one stroke; taxing him in effect with cowardice, that having so many men in arms, he would not oppose, saying, that Bennet and Clayborne durst as well have been hanged as have opposed him" [2]). Stone enraged by this accusation of being unfaithful to Baltimores interests, at once raised a force and endeavored to get possession of the government again. He was defeated with a loss of fifty of his followers. Stone was taken prisoner and would have been put to death but for the respect and affection borne him by some among the insurgents whom he had formerly welcomed to Maryland. Some of the prisoners were put to death in cold blood. After this victory on the Severn the Puritans held full sway. The Jesuit missionaries were all driven out of the colony and their property destroyed. This certainly was poor gratitude to the proprietary government which had received them with kindness, which had fostered toleration and to which alone they were indebted for their residence in the colony.

1) Shea.

2) Thurloe's State Papers — British Museum.

Hammonds "Leah and Rachel" (Edition of 1655) contains a short account of the rebellion, p. 25—26. Strong's "Babylon's Fall" in Maryland. Hammond V. S. Heamans (Edition of 1655) also contains a short acconnt. They all for the most part agree.

The above edition may be obtained in the British Museum.

CHAPTER X.

Up to the Restoration of the Stuarts.

Baltimore still clinging to the idea of regaining his power in the colony, appointed Josias Fendall to appear as his lieutenant. Fendall raised an insurrection but accomplished nothing, still Lord Baltimore's confidence was continued to him. Thus for a season Maryland was divided. The Catholics of St. Mary's acknowledged Fendall as governor, while the Puritans adhered to the government of the commissioners. At length a compromise was agreed upon, and the entire province was surrendered to the agent of the Proprietor. The Puritans made a good bargain for themselves. Permission to retain arms; an indemnity for arrears; relief from the oath of feality; and a confirmation of the acts and orders of the recent Puritan assemblies; such were the conditions of the treaty.

The death of Cromwell and the accession of his son Richard to the Puritan rule in England left Maryland in an uncertain state. The whole of England was in an unsettled condition. New and forcible questions presented themselves to the poor colony which was almost worn out by internal strife. Would Richard Cromwell permanently hold the place occupied by his father, or would Charles II. be restored? And above all, did new strifes with Virginia and convulsions among themselves await them? Such were the problems which were presented to the Marylanders in the year 1660. Something must be done. Accordingly the representatives of the province, convened in a private house, and by the power of the people, voted themselves a lawful assembly, without dependence upon any other power in the colony. Fendall who was still governor permitted the power of the people to be proclaimed. They agreed to recognize no authority but that of the Assembly and the king of England, and an act was passed making it felony to disturb the peace which they had established.

Such was the condition of Maryland at the restoration of the Stuart dynasty. She was in full possession of her liberty based upon the sovereignty of the people. In spite of the turbulence and dissensions the land was dear to the inhabitants. "There they desired to spend the remnant of their lives; there they coveted to make their graves" [1]).

CHAPTER XI.

After the Restoration.

It is our intention in this chapter to touch but lightly upon the most important events, as the field is entirely too large to cover in detail. In 1662 Lord Baltimore sent out his son Charles Calvert to govern the colony, and in 1676 he succeeded to his father's title and proprietorship. Owing to increase of clergy in 1677 a Catholic school was opened in Maryland. It prospered greatly. The sons of the planters applied themselves with energy to their studies, and some after finishing the prescribed course, crossed the Atlantic to complete their education in the higher universities abroad. The missionaries continued to labor among the Indians. The converts in many cases lived side by side with the white settlers. Many of the chiefs adopted the usages of civilized life, their daughters became educated and frequently married into families of the colonists. Descendants [2]) of these marriages may be found in Maryland to day. In 1681 the Province of Pennsylvania was founded by William Penn. In this new colony all forms of religion were tolerated [3]).

1) Hammonds "Leah and Rachel" (Edition of 1656).

2) John Randolph of Roanoke is a descendant of such a family, and it is claimed that the Harrison family is also of such descent.

3) "Pennsylvania was the only colony except Maryland from which Papists were not excluded from the first hour of their settlement. After 1692, it was the only colony that did not prohibit the public exercise of the Catholic religion,

In the thirty fifth clause of the laws agreed upon by Penn, it was provided: "That all persons living in the province who confess and acknowledge the one Almighty and Eternal God to be the Creator, Upholder and Ruler of the World, and that hold themselves obliged in conscience to live peaceably and justly in civil society, shall in no way be molested or prejudiced for their religious persuasion or practise in matters of faith and worship, nor shall they be compelled at any time to frequent or maintain any religious worship place or ministry whatever"[1]).

In 1688 the Protestant Revolution in England drove James II. into exile and placed William and Mary upon the the throne. This was a signal for a change of affairs in Maryland. The Proprietor being a Roman Catholic was deprived of all political rights in the colony, though he was allowed to keep his proprietary rights over the soil. His successor later on, turned Protestant and was restored to his full rights as proprietor. Severe measures were passed against Catholics. They numbered about twenty five thousand in the province at this time, but were greatly out-numbered by Protestants. A law was passed levying the same tax for the introduction into her territory of a Catholic Irishman as for the importation of a negro slave[2]). The condition of Catholocism in the colonies was gloomy until the American Revolution. When this great tidal wave swept over the land, the Convention of 1774 appealed to all classes of citizens and prayed them to lay aside all religious disputes and animosities (which could only withhold them

and for forty years previous to that time our religion was not free even in Maryland. It was, indeed, a haven from oppression, and a Catholic, even from the Catholic founded colony of Maryland was considered as having reached an asylum or sanctuary when within Pennsylvania's borders."

Records of the American Catholic Historical Society of Philadelphia. Vol. I. p. 81.

Dutch Calvinists and Swedish Lutherans were also there. — Shea.

"In this respect the Baptist Colony of Rhode Island, the Catholic Colony of Maryland, and the Quaker Colony of Pennsylvania deserve equal credit above the other colonies."

Johnston's History of the United States, p. 48. § 92.

1) "The Frame of Government" 1682, cited by Shea.

2) Dr. J. L. Spaldings, article in the Catholic World. July number 1876.

from uniting in the defence of their common rights and liberties), and rise in behalf of their country. The Catholic fought side by side with his Potestant brother. A Catholic priest was a member of the delegation sent to Canada to bring about an alliance, (or at least secure the neutrality of that province), and a Catholic was a signer of the Declaration of Independence. When the war clouds had rolled away and the glorious sun of liberty shone out bright and clear, the Catholic then certainly had no reason longer to complain, for the framers of the Great Constitution recognizing the service which he had rendered to the cause, removed all obstructions [1]) from his pathway and allowed him to enter upon a new era and a new field.

CHAPTER XII.

Was a Charter Granting Exceptional Liberties to the Catholics Possible?

We now enter upon that true part of our work which is to examine as far as possible the exact situation of the Catholics in Maryland, and what led them from the beginning to follow a tolerant policy. We have traced the historical and political condition of the colony up to the restoration of the Stuart dynasty, and the leading events to the outbreak of the American Revolution. We shall now deal with another phase of its existence, namely the Church of Rome. But to understand our subject we must go back to England, and glance at her history from the time when she first began to grumble at the spiritual supremacy of the pope, down to the final overthrow.

In 1213 Pope Innocent III. had forced upon king John the payment of one thousand marks annually for his kingdom as a

1) Constitution of the United States of America.

fief of the Holy See [1]). But when the strong hands of Edward III. grasped the reins of government this yearly tribute came to an end. From that date the papal influence in England began to wane. It was not likely that the victor of Crecy, whose valiant son with a chosen few had subsisted in the heart of France and won the splendid triumph of Poitiers, would bend a knee to the claims of the pope. When the threat of excommunication was borne from the Vatican to the palace of the English king, the matter was at once laid before the "Good Parliament" which unanimously sustained their sovereign in a permanent refusal. But other influences were being brought to bear upon the papal power. A learned scholar of Oxford appeared upon the horizon as the morning star of the Great Reformation. Wyclif [2]) began to preach that the scriptures did not teach the supremacy of the pope. He translated the Bible into the English language which penetrated among all classes of the people and quietly prepared them for the great struggle which was to come. His doctrines and writings found their way into far off Bohemia where they induced Huss and Jerome of Prague to attempt a similar reform of the Church.

The next great and decisive check given to the power of the Holy See was by Henry VIII. Becoming troubled with serious doubts concerning his marriage with his brother's widow, he appealed to Rome for a divorce which was refused. Henry then declared himself the head of the Church in his own dominions, put a stop to the payment of the large sums which were annually drawn from England by the pontiff, suppressed the monasteries and made it criminal to appeal to the pope or any person outside the realm. Henry thus struck a decisive blow at the connection between the English Church and Rome, and laid the foundation of its complete independence from that power. Being now the acknowledged head of church and state, the king

1) Hume's History of England (Students Edition), p. 139.
Green's History of the English People, vol. I. p. 236.

2) "It was he who brought the political and religious tendencies of the age into the closest and most fruitful connection with the growth of the national language and literature of England." Ten Brink's Eng. Lit. Vol. II. p. 5.

annulled his marriage with Catharine of Arragon, and married Anne Boleyn.

When the news of the marriage reached Rome, Pope Paul III. excommunicated Henry, declared him deprived of his crown, and laid the kingdom under an interdict[1]). The pope called upon the people and nobles of England to take up arms against the king. But the appeal produced no effect. The reformers were too strong, the power of the king too great, and the exposures of fraud and corruption on the part of the Romish Church, which had accompanied the suppression of the monasteries, had disgusted the English people too thoroughly to allow the Catholic party to hope for a successful rebellion. The pope found himself powerless to enforce his injunctions. The Bible translated into the English language had prepared the people for this crisis. They were as triumphant now as the "Good Parliament" and people had been in the days of Edward III. and Wyclif.

During the reign of Mary, the kingdom was completely restored to Catholicism[2]). The confiscated ecclesiastical property was restored as far as possible. The legislations of Henry VIII. were repealed, and the laws against the Lollards were revived. Some of the ablest minds in England were sent to the Tower, and as usual beheaded without a fair trial[3]). Many of the worst practices of the Spanish Inquisition were introduced into England. Such a course of action brought to the queen her deserved reward. She was hated and cursed by her people with a bitterness which words have no power to express. They tormented her with libels and lampoons, which were dropped by unknown hands where she could not fail to find them. In the bitterness of her sorrow she would give way to bursts of despairing fury, and in retaliation would send her enemies to the stake. All this together with the queen's marriage to Philip II. of Spain, so utterly aroused the people that on Mary's death (1558) the news was greeted in all parts of

1) Froude's History of England, vol. II. p. 105.

2) Froude's History of England, vol. V. chapt. XXXII.

3) Rogers, Hunter, Ridley, Latimer and Cranmer suffered martyrdom at the stake. Froude, vol. V. chapt. XXXIII. Hume (Students Edition) chapt. XVII.

the land with demonstrations of joy, and an end was put forever to the power of Rome in England.

With the accession of Elizabeth Protestantism was restored. She began her reign by restoring the doctrines and worship of the Church, to the form in which they had been left by Edward VI. The bishops who had fled to the Continent to escape Mary's wrath were recalled, and at once refilled their charges in the different see's, the Catholic bishops who refused to take the oath of supremacy being deprived of these offices. Elizabeth's reign was one of glory, yet one of continual danger. This was a critical point in the history of England and the world. The power of the papacy made one grand effort for the destruction of Protestantism. Fire and blood were the instruments used. From that Christian temple at Rome, from that great altar, which man might believe was the source of all good, have gone forth edicts which in their import contained the very essence of hell. History has traced them to their origin, watched their development as they went out into the world, analyzed the deeds when they were performed, and points to day with a stern hand at the results. The Inquisition, the promoting of the Society of Jesus, the instigation of the Spanish Armada enterprise, and the horrors of St. Bartholomew in France, all date from the papal throne[1]). For a hundred years the terriable conflict lasted. The curtain was raised over Europe, and the scenes thereon displayed were those of undescribable misery and woe. Never has the world before or since witnessed such bloodshed. Joshua's extermination of the Canaanitish people, Jehovah's destruction of Sennacherib's host, the slaughters of Rome's worst Emperors, the persecution of the Christians under Nero and Diocletian, the invasions of the Huns under Attila, the struggle of Frederick the Great for the existence of Prussia, the ambition of the first Napoleon, the tremendous loss of life in the American civil war, left no such desolation behind them. Yet the Protestant nations emerged from it as proportionately

1) Ranke's History of the Popes, for the first three mentioned. For the last see Quizot's History of France, vol. III. chapt. XXXIII. The writer earnestly requests that the reader examine Froude's England, vol. X. chapt. LVIII, especially p. 141—2—3, inclusive.

strong as in the beginning. Queen Elizabeth had guided England's ship of state safely through the sea of strife. The Queen of Scots, who by her intrigues had ever kept the kingdom in a state of agitation, had been executed at Fotheringay castle [1]). Spain's "Invincible Armada" had been destroyed [2]), and the British ascendency on the sea began. Those were the days when Francis Drake and Hawkins and Frobisher astonished the world by their deeds of naval daring, when the romantic spirit of Raleigh imagined that in the land of Guiana, lay a country as yet undiscovered, which contained mines and treasures far exceeding those of Mexico or Peru.

And how had the nations of the Continent come forth from the great struggle? In Spain the lamp of liberty, after one feeble flicker, was smothered by the Jesuit inquisition, and she relapsed into a lethargy which so benumbed her limbs, that for three hundred years she has been unable to move along the highway of freedom. The mind and spirit of the people seem to be rivited by an intolerable thralldom of priesthood down to the earth itself. Cross the Pyrenees and behold France. The close of the struggle found the Huguenots completely paralyzed and helpless. It may with consistency be said that St. Bartholomew was but a precursor of the dreadful scenes which followed [3]). The great spirit of Coligny had gone out in darkness, but not in shame. Henry IV. of Ivry [4]) and Navarre made a gallant struggle for existence, but the contending parties were too strong, and nothing but a return to the Romish faith saved his throne. In Italy the death knell of free thought was sounded in the 15th century, and the light which then went out, went out forever [5]). Tuscany may point with pride to those shining stars whose brilliant rays illuminated all the dark places of

---

1) Froude, vol. XII. chapt. LXIX.

2) Froude, vol. XII. chapt. LXXI.

3) See Stanhope's History of England During the Reign of Queen Anne, chapt. III. p. 92.

4) Read Macaulay's poem on the battle of Ivry. — Found in "Lays of Ancient Rome".

5) As for as the writer could judge while traveling in Italy, the power of Catholicism seems as firmly rivited as it must have been in the days of Leo X.

papal policy. History will ever do honor to the names of Savonarola, Dante and Machiavelli.

Beyond the Alps in Germany we see the seat of conflict. The wanton and tremendous effort made to crush out Protestantism had in the end signally failed, owing to the intervention of three foreign powers, one of which was Catholic [1]). Even though Gustavus Adolphus, who crossed the Baltic with his band of Swedes, had been killed at Lützen, and the Protestant cause seemed irreparably lost, the struggle had still lingered painfully on until with the union of France a combined movement upon Vienna was contemplated. But before this could be executed the emperor Ferdinand III. yielded, and thirty years of war was ended [2]). After a hundred years the Church of Rome was forced to give up the contest; the sword of slaughter was rusted to the hilt by the blood it had shed, and yet religious freedom was saved to Germany. The independence of Switzerland and Holland was acknowledged. The whole of northern Europe, England, Scotland, Denmark, Norway and Sweden, issued from the struggle strong Protestant nations. It was not zeal for the spread of Christian truth which inspired this fearful Crusade against the Protestants; for the Catholics equally acknowledged the authority of the Bible: "it was the despotic determination of the Roman Church to rule the minds and consciences of all men, through the pope and its priesthood" [3]).

On the 24th of March 1603, Queen Elizabeth died at Richmond and the crown of England fell to James VI. king of Scotland. We propose now to define the condition the English Catholics were in when he came to the throne. As the Catholics had kept a hot bed in the kingdom during the previous reign, such as ever plotting the overthrow of Elizabeth and the elevation of Mary Stuart to the throne, as well as keeping Spain and all other enemies informed of the Island's strength

1) France.

2) For conditions and ratification of the Peace of Westphalia which ended this bloody struggle, see Erdmannsdörffer's History of Germany 1648—1740, vol. I. chapt. I. p. 3—26, inclusive.

3) Bayard Taylor.

before the attempt of the Armada, very severe laws had been enacted against them. All public celebration of the mass was interdicted, and more, the mere fact of saying mass was sufficient to bring a priest under the charges of treason. All recusants were deprived of their lands which were leased out by Commissioners appointed for that purpose. Another harsh measure was the appointing of constables to ferret out priests, who had concealed themselves in the houses of the Catholic gentry. "These wretches under pretence of discovering the concealed fugitives, were in the habit of wantonly destroying the furniture or of carrying off valuable property. It was useless to complain, as there were few, if any, Catholics who had not given the law a hold upon them by the support given to their priests" [1]).

Such was the condition of the Catholics in England when James ascended the throne. Did he have any great power to alleviate this suffering? We think not. England was too thoroughly Protestant. Episcopacy had become the established religion, and the Puritans who could not endure the pomp and seeming idolatry of the reformed church, had removed still farther from its ritual. Was it to be supposed, then, that this powerful party which could not tolerate the Church of England would much less permit Catholics to hope for success in any particular? Green in speaking of Lord Baltimore and Maryland says: "he was one of the best of the Stuart counsellors, was forced by his conversion to Catholicism to seek a shelter for himself and colonists of his new faith in the district across the Potomac, and around the head of the Chesapeake. As a purely Catholic settlement was impossible, he resolved to open the new colony to men of every faith" [2]). This grates harshly against our ears. It seems to us that if the circumstances and surroundings had been favorable for an exclusive

1) Gardiner's History of England, vol. I. chap. III. p. 97.

2) Short History of the English People, p. 507.

John Gilmary Shea the first authority on the Catholic Church in the United States says: "To give a charter directly favoring or protecting the Catholic religion was what the king could not do." Church in Colonial Days, p. 31. This establishes this great point beyond doubt.

Catholic colony, the history of Maryland and the grand scheme of toleration, which has been lauded to the sky by every Catholic Archbishop, would have been entirely otherwise. "Upon the whole, then, the picture of Maryland legislation is a gratifying one; but the theory which assigns credit of it to the Roman Church has little foundation in fact" [1]).

CHAPTER XIII.

Maryland in Relation to the Other Colonies.

In this chapter we desire to keep ever before us this question: — If such a charter and privileges as we discussed in the last chapter had been granted to Maryland, or if her legislation from the beginning on had been one of the slightest intolerance, would it have been respected by the other colonies, such as Virginia and New England?

We shall turn our attention first to Virginia whose attitude was ever hostile toward Maryland, on account of the division of her territory. William Clayborne [2]) was ever ready on the slightest pretense to stir up a rebellion in Maryland, or invade the rights of the Proprietary. It is logical to suppose that the colonists of Virginia, from the very nature of their second charter, would on general principles make it as uncomfortable as possible for their Catholic neighbors. This instrument reads thus:

"And lastly because the principle effect which we can desire or expect of this action is the conversion and reduction of the people in those parts unto the true worship of God and Christian Religion, in which respect we should be loath that

1) Right Hon. William E. Gladstone, Prime Minister of England (1893), in introduction to the "Vatican Decrees."

2) Hammond says — "Claiborne was a pestilent enimie to the wel-faire of Maryland and the Lord Proprieter." Leah and Rachel, p. 23.

any Person should be permitted to pass that we suspected to effect the Superstition of the Church of Rome we do hereby declare that it is our Will and Pleasure that none be permitted to pass in any Voyage from Time to Time to be made into the said Country, but such as first shall have taken the Oath of Supremacy. For which purpose we do by these Presents etc. etc." [1])

Then the following objections were raised by the Council of Virginia, and forwarded to England as reasons why the government of Maryland should not be placed in Lord Baltimore's hands. —

"By the Patent it is provided that no construction be made thereof, whereby Gods, holy and truly Christian Religion, or the heirs and successors of the Crown of England should receive any prejudice or diminution."

"As to Religion, the Governor and all those of the council in Maryland are bound by oath to defend and maintain the Roman Catholic Religion in the free exercise thereof" [2]).

The early planters of Virginia were ever picking quarrels with the newly founded state. In 1633 they presented a petition to that tyrannical body, the Star Chamber. As the substance of their desires are embodied in the reply of this chamber we proceed to quote it as given in the final decision on July 3 1633.

"Whereas an humble Petition of the Planters in Virginia was presented to his Majesty, in which they remonstrate that some Grants have lately been obtained, of a great Proportion of Lands and Territories within the limits of the Colony there, being the places of their Traffick, and so near the places of their Habitations, as will give a general Disheartening to the Planters, if they be divided into several Governments, and a Bar to that Trade, which they have long since exercised towards their Supporters, and Relief, under the Confidence of His Majesty's Royal and gracious Intentions towards them, as by the said petition largely appeareth. For as much as his

---

1) Second Charter of Virginia. Hazard I, 72.

2) Thurloe's State Papers, vol. V.

Majesty was pleased on the Twelth of May last to refer to the board the consideration of this Petition; that upon the Advice and Report of their Lordships, such Order might be taken as to his Majesty's Wisdom should seem best it was thereupon ordered, upon the Fourth of June last that the Business should be heard the second Friday in this Term which was the Twenty Eight of the last month, that all Parties interested should then attend, which was accordingly performed, and their Lordships having heard the Cause did then order that the Lord Baltimore, being one of the Parties, and the Adventurers and Planters of Virginia aforesaid, should meet together between that Time and this Day and accommodate their Controversy in a friendly Manner if it might be: and likewise set down in Writing the Propositions made by either Party with their several answers and Reasons to be presented to the Board of this Day, which was likewise accordingly done. Now their Lordships having heard and maturely considered the said Proposition. Answers, and Reasons, and what so ever else was alledged on either Part did think it fit to leave the Lord Baltimore to his Patent, and the other Parties to the Course of Law, according to their Desire; but for the preventing of further Questions and Differences, their Lordships did also think fit and order that Things stand as they do; the Planters on either side shall have free Traffick and Commerce each with the other, and that Part shall receive any fugitive person belonging to the other nor do any Act which may draw a War from the Natives upon either of them; and lastly that they shall sincerely entertain all good Correspondence, and assist each other upon all occasions in such Manner as becometh Fellow-Subjects and Members of the same State" [1]).

From Virginia we turn to New England. We propose to speak of the general principle of toleration then prevalent among the puritans. It would seem to the casual observer, that a strange inconsistency to that very cause which lead them to forsake their native England, had sprung up in their midst, when after such undescribable hardship's and suffering,

1) Hazard 337—38, vol. I.

prosperity had blessed them with happy homes and all the comforts of life. But this could appear so to the casual observer only. Most Catholic writers [1]) are fond of attacking the Puritans on their treatment of the Indians and their spirit of intolerance [2]). In regard to the Indians it is difficult to conceive how, under the circumstances any other course of action could have been pursued. In 1637 the powerful tribe of Pequods began war on Connecticut by murdering the crew of a small trading vessel on the Connecticut river. "With some appearance of justice they pleaded the necessity of self-defence, and sent messengers to Boston to desire the alliance of the white men. The government of Massachusetts accepted the excuse, and immediately conferred the benefit which was due from civilization to the ignorant and passionate tribes; it reconciled the Pequods with their hereditary enemies, the Narragansetts. No longer at variance with a powerful neighbor, the Pequods displayed their bitter and emboldened hostility to the English by murdering Oldham near Block Island" [3]). This sounded at once the tocsin for war. The Pequods attempted to unite the Narragansetts and Mohegans with them, "that a union and a general rising of the natives might sweep the hated intruders from the ancient hunting grounds of the Indian race". Nothing but the great presence of mind and courage of Roger Williams of Rhode Island prevented this formidable conspiracy from taking effect. He persuaded the Narragansetts to withdraw, thus leaving the Pequods to contend single handed. John Mason took charge of the Connecticut provincials, and marched into the Indian country. A number of forts containing hundreds of the bravest warriors of the Pequod nation were surrounded and set on fire. In one hour the work of carnage was completed, and six hundred Indians, men, women, and children, perished. The work of death and destruction was continued. The remnants of the race were sought out in their hiding places, the wigwams were

1) Spalding's Miscellanea, Reviews, Lectures and essays.

2) We desire to keep in mind that Catholics acknowledge the intolerance of the Puritans. All liberal Protestant writers if they be true to history must do the same.

3) Bancroft, vol. I. p. 298.

burnt, and their cornfields laid waste. The few that survived surrendered in despair and were enslaved by the English. "There remained not a sannup nor squaw, not a warrior nor child, of the Pequod name. A nation had disappeared from the family of man".

Much criticism has attended this terrible extermination of an Indian race [1]). It is not our business to enter into a discussion of this question. We have not the space, and then it would swerve to much from our general line of discourse. But we cannot refrain from quoting the following, leaving the reader to decide for himself.

"The vigour and courage displayed by the settlers on the Connecticut, in this first Indian war in New England, struck terror into the savages, and received a long succession of years of peace. The infant was safe in its cradle, the laborer in the fields, the solitary traveler during the night watches in the forests; the houses needed no bolts, the settlements no palisades" [2]).

Next followed king Philip's bloody war which resulted in the extermination of the Pokanokets. The great warrior Philip himself was treacherously shot by a faithless Indian of his own tribe, and his little harmless boy that had been cherished as the last of the family of Massasoit, "was sold into bondage to toil as a slave under the suns of Bermuda".

In regarding the treatment of the Indians by the Puritans we must keep before us this fact, — "the Pokanokets had always respected the Christian faith and the Christian manners; and Massasoit had desired to insert in a treaty what the Puritans never permitted, that the English should never attempt to convert the warriors of his tribe from the religion of their race" [3]). This, of course, would continually bring them into conflict. The Indians would begin by treacherously murdering the settlers on the frontier, the alarm soon spreading, the white men in order to save themselves would begin a war of extermination.

1) Especially by Catholic writers who claim that the Bible and not the sword would have accomplished better results.

2) Bancroft.

3) Bancroft.
Hubbard.

We now turn our attention to the important subject of Witchcraft, and ask if it would be possible for a Catholic to live anywhere within range of these laws or where Protestants were in the supremacy, to attempt intolerance. We find this clause among the famous Blue Laws of New England against Roman Catholic priests. — "No priest shall abide in this dominion he shall be banished and suffer death on his return. Priests may be siezed by anyone without a warrant"[1]). "So extremely strong and so astonishingly fierce and unrelenting was public prejudice on the subject of the Romish religion in the early part of our colonial history that we find it declared by law, in the early part of the last century (Colony laws vol. I p. 38, Livingston and Smith's edition), that every Jesuit and popish priest, who should continue in the colony after a given day should be condemned to perpetual imprisonment; and if he broke prison and escaped, and was retaken, he should be put to death. That law said Mr. Smith the historian of the colony, as late as 1756 (Smith's History of New York p. 111) was worthy of perpetual duration!"[2]) The most wretched laws were enacted against Quakers, but would have been doubly strict if Catholics had attempted to abide among them[3]). In 1631 just eleven years after the landing of the Mayflower, Sir Christopher Gardiner on mere suspicion of being a papist was siezed and sent out of the colony of Mass. Bay, and in the same year the general court wrote a letter denouncing the minister at Watertown for giving expression to the opinion that the Church of Rome was a true church. Roger Williams declared that the cross was a relic of Antichrist, a popish symbol savoring of superstition, and not to be countenanced by Christian men. In proof of their sincerity and zeal the Puritans cut the cross from out the English flag. They regarded the Catholic settlements in Canada with sentiments of such bigoted hatred as to blind them to their own most evident political and commercial interests. So unrelenting was their hatred of Romanism that

1) Spalding's Miscellanea.
Ibid.

2) Chancellor Kent's Commentaries on American Law, vol. II. p. 62—3.

3) Bancroft gives an account (vol. II. p. 749) of an Irish woman (Catholic) being among the very first to be executed on account of Witchcraft.

one of the grievances which they most strongly urged against George III. was that he tolerated popery in Canada.

The Puritans were ever quarreling among themselves over different creeds and beliefs. We have but to mention the names of Anne Hutchinson and Roger Williams. If dissenting Protestants were not tolerated in New England, Catholics certainly could not hope for mercy.

"The religious character of Virginia though less intense and earnest than that of New England can hardly be said to have been less antichrist" [1]).

In concluding this chapter we put the matter before the reader, and ask if, in the nature of all the surrounding circumstances, it were possible for the Catholics of Maryland numbering only 25,000 at the opening of the Revolution, and previous to that time still less, to attempt anything of an intolerant nature? Even in her very early history would not Virginia have pounced down upon her as she did at different times? Would New England have respected her? We are inclined to believe that the only thing which kept New England from complaining to the home government, was the fact that Protestantism through the influence of those who fled from persecution in New England and Virginia, had rapidly gained the ascendancy and finally controlled the government in the Catholic colony of Maryland.

CHAPTER XIV.

Miscellanea.

We shall group a few questions together in this chapter, and attempt to answer them. To begin with, — could a charter granting exceptional liberties to Catholics have stood the Puritan Revolution in England? We think not. From the very be-

1) Spalding in Catholic World.

ginning of the reign of James II. in 1685, he had attempted to restore Roman Catholicism throughout the nation. In 1688 the people through the Whig nobles invited William and Mary to come over from Holland and claim the crown. They accepted, and arrived in England on the 5th of November. They were well received, and in several days were joined by a number of the leading men of the kingdom [1]). James found himself deserted and was obliged to flee the kingdom. With the assistance of France and Ireland he endeavored to regain possession of the crown, but was overwhelmingly defeated in the battle of the Boyne, July 1st 1690, thus sealing forever the fate of the Stuart dynasty. On the reception of this news in Maryland, one Coode applied to William III. "to redeem the people of Maryland from the arbitrary will and pleasure of a tyrannical Popish government, under which they had so long groaned. Lord Baltimore was deprived of all his rights as proprietary without any form of law, or even a formal accusation that he had forfeited his charter" [2]). This proves conclusively that at this period the Catholics stood but small chance in either Church or State [3]).

What influence had the Catholic element on the Act of 1649? We answer this question by quoting. — "It was in 1649, that the Maryland Act of Toleration was passed; which, however, prescribed the punishment of death for anyone who denied the Trinity. Of the small legislative body which passed it, two-thirds appear to have been Protestant, the recorded numbers being sixteen and eight respectively. The colony was open to the immigration of Puritans and all Protestants, and any permanent and successful oppression by a handful of Roman Catholics was altogether impossible" [4]).

---

1) Among them Lord Churchill, afterwards the great Duke of Marlborough.

2) Shea, Church in Colonial Days.

3) Neill says — "During the English Revolution of 1688—9 was an important period in Maryland. — The watchward of the dominant party was "No Popery", and a few artful demagogues in Maryland echoed the cry, and industriously worked upon the passions and fears of the scattered and ignorant planters. It is possible — "Some truth there was but dash'd and brew'd with lies." Dryden.

4) Gladstone in preface to "Vatican Decrees."

And then further, — "It was a wise measure, for which the two Lords Baltimore, father and son, deserve the highest honor. But the measure was really defensive; and its main and very legitimate purpose plainly was, to secure the free exercise of the Roman Catholic religion. Immigration into the colony was by the charter free; and only by this and other popular provisions could the territory have been extricated from the grasp of its neighbors in Virginia who claimed it as their own. It was apprehended that the Puritans would flood it, as they did: and it seems certain that but for this excellent provision, the handful of Roman Catholic founders would have been unable to hold their ground" [1]).

In the conflict between Charles I. and his Parliament Cecil Lord Baltimore, had no sympathy whatever. He viewed with displeasure the manly opposition of Parliament to the arrogant demands of the king. Being a favorite of the king, it is easy to conceive that he would be unpopular with the followers of Parliament if the king were overthrown.

As Baltimore could not make the Church of Rome the established Church in Maryland, a check was held on all religious demonstrations, by securing the patronage of all churches that should happen to be built. There is no doubt but that Baltimore endeavored to promote what he thought were the best interests of the colonists, but it was far from his intention that they should molest him as the Parliament were troubling Charles.

"But while religious differences existed Leonard Calvert, as governor of the province, seemed to protect all in their conscientious scruples, for had he oppressed them they would have crossed the river to Virginia, where settlers were so much needed, and the enemies of the colony would have triumphed. The first Protestant colonists were principally indented white servants, and poor young men who came to seek their fortunes. They had no guide of their faith furnished by the proprietor for the cure of their souls, but in their chests a few books had been placed by anxious friends and parents, that had pro-

1) Gladstone in appendix to "Vaticanism."

ved sources of comfort in hours of doubt, temptation and loneliness" [1]).

As far as the public records show, Cecil Baltimore never contributed a shilling for the building of a church or schoolhouse in Maryland. In his despatches he seldom makes illusion to the importance of either.

CHAPTER XV.

Conclusion.

The Catholic Church is the oldest organization in the history of the world. From the time when Jesus of Nazareth walking by the shores of Galilee, surrendered to Simon Peter "the keys of the kingdom of Heaven" [2]), the Church of Rome has fought and labored. From the depths of the catacombs she sent forth men who battled with that long line of Roman emperors and, in spite of terriable torture and persecution, finally triumphed. Through her agency the beneficent influence of the Christian doctrine quickly extended from the banks of the Ebro in Spain to the central rivers of Asia, and overflowed the wide limits of the empire even to the Rhine and the Danube. The Etruscan mysteries, the Athenean faith in Apollo and Minerva

---

1) Neill.

2) At Ceasarea Philippi Christ said to Peter — "Thou art Peter; and upon this rock will I build my Church, and the gates of hell shall not prevail against it. And I will give unto thee the keys of the kingdom of Heaven; and whatsoever thou shalt bind on earth shall be bound in Heaven, and whatsoever thou shalt loose on earth, shall be loosed in Heaven" — Matthew XVI. 18—19.

In these little sentences have been built up the mighty ediface of the Church of Rome: in them lie the authority of the Popes over temporal affairs, and their so-called "infallibility" in cursing a soul or clensing it white from sin.

vanished into the realms of chimera from whence they came. On those sites where the gods of Olympus had been worshipped, on the very columns that had supported their temples, were shrines erected to the memory of those who had rejected their divinity. The heathen basilica was converted to the purpose of Christian worship. The religion of the Ceasars passed away. "In every highway on the steep summits of the hills, in the deep ravines and romantic valley's, on the roofs of houses, and in the mosiac of the floors was seen the cross" [1]). The Arian races in moving westward were after centuries of strife absorbed by the new belief, and the Arab inspired by an arrogant and dogmatic creed, attempting the invasion of Europe, miserably failed, and was compelled to retire beyond the Pyranees [2]).

From that time on, the Church of Rome had but to aright herself and settle her internal difficulties. She had centuries at her disposal. The nations of Europe were gathered together under her tutelage. But the Church in the mismanagement of her power, and through accumulation of errors, became corrupt. Her pupils began to dissent. Nations began to throw off her yoke and at the time of the discovery of the New World beyond the Atlantic, she was in a state of internal decay. After the Reformation all northern Europe was lost to her, but in all the southern states and principalities, her supremacy remained supreme [3]).

With the voyage of Columbus the attention of the Catholic Church was turned towards the newly discovered world[4]). French Jesuits were early in the region of the St. Lawrence, doing noble work among the Hurons. "Away from the amenities of life, away from the opportunities of vain glory, they became dead to the world, and possessed their souls in unalterable

---

1) Ranke's History of the Popes, vol. I. chapt. I.

2) Battle of Tours 732.

3) See Macaulay's entire cristicism of Ranke's History of the Popes.

4) Dr. Thomas Jenkins in his pamphlet entitled Christian VS. Godless Schools, chapt. I. p. 4.

Clarke's Lives of the Deceased Bishops, chapt. I.

peace." The whole of the great northwest was visited by them. The dense forests surrounding the great lakes were penetrated, and the Cross in company with the standard of France set up on their shores. Illustrious among the names of these determined and soul inspired men, are those of Marquette and Joliet. Together they floated from the great watersheds of the north down the Wisconsin, and drifted silently into the Great River, the Father of Waters, which had been discovered in the south by De Soto more than a century before. They were the first white men who trod the soil of Iowa. The emblems of Christianity and the banner bearing the lilies of the Bourbons, were planted in the great valley of the Mississippi. For the first time the great plains of Illinois, which stretch back and away from Rock Island [1]), were crossed by these daring missionaries. Joliet returned to Quebec, while Marquette wandering again to the northward, went quietly to sleep on the margin of the stream that bears his name. "The people of the west will build his monument."

At the out break of the American Revolution the Catholics were confined principally to Maryland. When the call came from the Convention of 74, for all classes to lay aside religious differences and fight side by side for the liberties of their country, these Catholics heartily responded to the call, and fought with great bravery and much credit to themselves throughout the entire war. The close of this prolonged struggle left the Catholic Church unfettered and free to begin that rapid growth [2]) which has developed into the massive organization which stands in the very heart of the United States to day, — a power for good or evil, — the future must decide.

---

1) One of the most picturesque spots in the great west. Also the seat of one of the first arsenals of the United States, and acknowledged to be one of the best equipped in the world.

2) In 1800, the Catholic population was 100,000 — Dr. J. L. Spalding, in "Catholic World", July 1876.

Josiah Strong in "Our Country". In 1890, it numbered nearly 10,000,000. Census of the United States.

It is sincerely to be hoped that the Protestants and Catholics of America may continue to live side by side in peace, acting towards one another as brother should towards brother, remembering that we are all believers in the same God, who will not smile upon one more than upon the other, but upon all alike. And if ever in the future dark and threatening clouds should hover over the horizon of religious and political freedom, may these great organs of religion unite to battle for the honor, freedom, and glory of our country.

Chronological Table.[1])

Grant of Avalon the Sir George Calvert. April 7th 1623.
Death of George Calvert 1st Lord Baltimore. April 15th 1632.
Charter of Maryland issued to Cecilius Calvert 2nd Lord Baltimore. June 20th 1632.
First colonists sail for Maryland. Nov. 22nd 1633.
The Ark and Dove arrive at Point Comfort. Febr. 27th 1634.
Landing at St. Clements. March 25th 1634.
Foundation of St. Mary's. March 27th 1634.
St. Mary's county settled. 1634.
Clayborne's first invasion. 1635.
Settlement of Swedes on the Delaware. 1638.
Baptism of Tayac. July 5th 1648.
The government siezed by Clayborne and Ingle. 1645.
The rebels submit to Gov. Calvert. Nov. 1646.
Death of Gov. Leonard Calvert. June 9th 1647.
Act of Toleration passed. April 21st 1649.
Maryland siezed by Parliamentary Commissioners. March 29th 1652.
Battle of Providence (Annapolis). March 25th 1655.
New Sweden conquered by the Dutch. Sept. 25th 1655.
The government restored to Lord Baltimore. March 25th 1658.
Fendall's rebellion. 1659.
Philip Calvert Governor. Dec. 11th 1660.
Charles Calvert Governor. 1662.
Massacre of Susquehannocks. Sept. 25th 1675.
Death of Cecil Calvert of 2nd Lord Baltimore. Nov. 30th 1675.
Plot of Fendall and Coode. 1681.
Protestant revolution in England. James II. abdicates. Dec. 11th 1688.

1) The old style of reckoning time, or Julian calendar, was not issued in Great Britain and the colonies until 1752. By this calendar the legal year began on March 25th, so that Jan. 1st 1751, would be Jan. 1st 1752, according to modern reckoning. In this table the years are given in new style.

Coode and associates sieze the government of Maryland. Aug. 23rd 1689.
War between France and England. 1689.
Mail route opened. 1695.
Free schools established. 1696.
Peace of Ryswick between England and France. Sept. 20th 1697.
Annapolis made the capital of the province. July 22nd 1699.
War between England and France again breaks out. May 4th 1702.
Peace of Utrecht between England and France. March 13rd 1713.
Charles Calvert, 3rd Lord Baltimore dies. Febr. 24th 1715.
Benedict Leonard Calvert, 4th Lord Baltimore dies. April 5th 1715.
Baltimore founded by Act of Assembly. Aug. 8th 1729.
Boundary agreement between Charles, 5th Lord Baltimore and William Penn May 10th 1732.
War between England and France renewed. March 31st 1744.
Peace between England and France (Treaty of Aix la Chapelle Oct.7). April 30th 1748.
Death of Charles, 5th Lord Baltimore. April 23rd 1751.
Convention at Albany. June 19th 1754.
Braddock's defeat. July 9th 1755.
Acadians arrive in Maryland. Dec. 1755.
Surrender of Fort du Quesne. Nov. 24th 1758.
Capture of Quebec. Sept. 13th 1795.
Survey of Mason and Dixon's line begun. Nov. 19th 1760.
Pontiacs war breaks out. May 9th 1763.
Stamp Act passed by Parliament. March 25th 1765.
Colonial Congress meets in New York. Oct. 7th 1765.
Stamp Act repealed. March 18th 1766.
Duty laid on tea etc. July 2nd 1767.
Death of Frederick, 6th and last Lord Baltimore. Sept. 14th 1771.
Provincial Convention meets in Annapolis. June 22nd 1774.
First Continental Congress meets. Sept. 5th 1774.
Battle of Lexington. April 19th 1775.
New Congress meets. May 10th 1775.
Declaration of Independence resolved in Congress. July 2nd 1776.
Draft of Declaration approved an published. July 4th 1776.
Maryland declares herself independent. July 6th 1776.

Vita.

Ich, Ernest L. Harris, wurde am 26. Oktober 1870 in Grinnell, im Staate Iowa, in den Vereinigten Staaten von Nordamerika geboren. Meine Eltern sind Jakob Lloyd Harris und Anna Mc Grew. Als ich zwei Jahre alt war zogen meine Eltern nach Edgington in Illinois; ich wurde daselbst im Alter von sechs Jahren in die öffentliche Schule geschickt, die ich bis zu meinem vierzehnten Jahre besuchte. Im Jahre 1886 trat ich in die Akademie von Iowa College zu Grinnell, wo ich ein Jahr verblieb. Die folgenden zwei Jahre verbrachte ich mit Reisen. Im Herbst 1888 trat ich wieder in das Cornell College zu Mount Vernon in Iowa ein, wo ich vier Jahre zubrachte und das Examen bestand. Die Ferien dieser Studienzeit verbrachte ich (regelmässig) in Rock Island in Illinois, wo ich zugleich amerikanisches Recht studierte. Im Frühling 1892 kam ich nach Europa und im Herbst desselben Jahres liess ich mich als Student an der Universität zu Heidelberg aufnehmen, woselbst ich besonders die Vorlesungen der Herren Professoren Erdmannsdörffer, Kuno Fischer, Ihne, Kleinschmidt, Schick und Winkelmann hörte und am 27. Februar 1894 als Doktor der Philosophie promovierte.

JUN 13 1945

LIBRARY OF CONGRESS
0 014 366 678 5